



Attorney (Staff Counsel)

OPEN – SERVICEWIDE
CONTINUOUS TESTING



AO75– 5778 –8PB57

CALIFORNIA STATE GOVERNMENT - AN EQUAL OPPORTUNITY EMPLOYER TO ALL REGARDLESS OF RACE, COLOR, CREED, NATIONAL ORIGIN, ANCESTRY, SEX, MARITAL STATUS, DISABILITY, RELIGIOUS OR POLITICAL AFFILIATION, AGE OR SEXUAL ORIENTATION.

IT IS AN OBJECTIVE OF THE STATE OF CALIFORNIA TO ACHIEVE A DRUG-FREE STATE WORK PLACE. ANY APPLICANT FOR STATE EMPLOYMENT WILL BE EXPECTED TO BEHAVE IN ACCORDANCE WITH THIS OBJECTIVE BECAUSE THE USE OF ILLEGAL DRUGS IS INCONSISTENT WITH THE LAW OF THE STATE, THE RULES GOVERNING CIVIL SERVICE AND THE SPECIAL TRUST PLACED IN PUBLIC SERVANTS.

EXAMINATION TYPE This is an open examination. Career credits will not be granted.

WHO MAY APPLY Applicants who meet the minimum qualifications as stated on this bulletin may apply and take this Qualifications Assessment at any time. Once you have taken the Qualifications Assessment, you may not retake it for 9 months.

HOW TO APPLY The application and examination process for the Attorney (Staff Counsel) classification is available on a continuous basis on the Internet. Applicants will respond to questions regarding their ability to meet minimum qualifications, as well as provide their contact information. An immediate minimum qualifications determination will be made by the on-line system. If an applicant meets the minimum qualifications, he/she will be allowed to proceed to take the on-line Qualifications Assessment. The applicant responses will be scored based on predetermined job-related rating criteria. **Applicants will be required to verify that they meet the minimum qualifications as stated on their application prior to receiving an offer of employment or if requested to do so by the State Personnel Board.**

If you do not have Internet access, there are public access Internet terminals in over 150 California public libraries. Contact your local library for information about where the nearest Internet terminal is located and the policies related to usage. **DO NOT** contact the State Personnel Board or the Human Resources Modernization Project for this information. The State Personnel Board and Human Resources Modernization Project do not maintain an up-to-date list of library locations. The State Personnel Board Service Center, located at 801 Capitol Mall, Sacramento, California, 95814, has Internet terminals that are available for public use between 8:30 a.m. and 4:30 p.m., at no cost. For more information, contact the Service Center at (916) 653-1705. If you are not familiar with the Internet, you may have a friend or family member assist you.

You may preview the examination on the Internet by connecting to:
<https://exams.spb.ca.gov/exams/staffcounsel/pdf/scquestions.pdf>

You may apply and take the examination on the Internet by connecting to:
http://www.spb.ca.gov/employment/exam_start.htm

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**COMPENSATION
PACKAGE:
SALARY RANGE
AND
BENEFITS****\$4,674.00-\$7,828.00 per month** (Please note Salary Criteria below)

- ✓ Employer/employee paid health and dental insurance
- ✓ Employer paid vision insurance
- ✓ Paid Vacation/Sick/Annual Leave Benefits
- ✓ 14 paid holidays
- ✓ Employer paid disability insurance
- ✓ [Defined Benefit Retirement Program \(upon vesting\)](#)
- ✓ Employee paid deferred compensation program (401K and 457)
- ✓ Flexible work schedules and work hours
- ✓ Pre-tax reimbursement for medical care, child care and parking programs
- ✓ Employee Assistance Program
- ✓ Career development/professional advancement

Salary Criteria: An incumbent's salary is based on the Alternate Range Criteria 217 identified below:

Experience gained outside State service may be credited only if the appointing power believes the experience was satisfactory and comparable in type and quality to that of an Attorney (Staff Counsel). When the requirements for the particular criteria are met and upon recommendation of the appointing power, the employee shall receive a rate under the provisions of the Department of Personnel Administration Rule 599.676.

- **Range A \$4,674.** This range shall apply to individuals who are active members of The State Bar of California and who do not meet the criteria for payment in Range B, C or D.
- **Range B \$4,678 - \$5,137.** This range shall apply to individuals who are active members of The State Bar of California and who, in addition, have satisfactorily completed one year of experience in a class with a level of responsibility equivalent to Staff Counsel, Range A, or who have evidence of satisfactory completion of one year of experience in the practice of law outside of State service performing duties equivalent to Staff Counsel.
- **Range C \$5,638 - \$6,818.** This range shall apply to individuals who are active members of The State Bar of California and who, in addition, have satisfactorily completed one year of experience in a class with a level of responsibility equivalent to Staff Counsel, Range B, or who have evidence of satisfactory completion of three years of responsible experience in the practice of law outside of State service performing duties equivalent to Staff Counsel.
- **Range D \$6,347 - \$7,828.** This range shall apply to individuals who are active members of The State Bar of California and who, in addition, have satisfactorily completed two years of experience in a class with a level of responsibility equivalent to Staff Counsel, Range C, or who have evidence of satisfactory completion of five years of responsible experience in the practice of law outside of State service performing duties equivalent to Staff Counsel.

Experience in the "practice of law" or "performing legal duties" is defined as only that legal experience acquired after admission to The Bar.

**MINIMUM
QUALIFICATIONS**

Membership in The State Bar of California. (Applicants must have active membership in The State Bar before they will be eligible for appointment. Applicants who are not members of The State Bar of California but who are eligible to take The California State Bar examination will be admitted to the examination but will not be considered eligible for appointment until they are admitted to The State Bar.)

**POSITION
DESCRIPTION**

An Attorney (Staff Counsel) for the State of California performs a wide variety of legal work. Duties may include but are not limited to: performing a wide variety of legal research; studies, interprets and applies laws, court decisions and other legal authorities; conducts special investigations involved in the enforcement of State laws and departmental rules and regulations; provides advice or opinions to departmental management or members of the public on legal issues arising out of the programs of the department in which the incumbent is employed and of the legal effect of rules, regulations, proposed legislation, statutory law, court decisions and administrative actions; develops proposed legislation; testifies before legislative committees; conducts negotiations; prepares or assists in preparing cases, opinions, briefs, and other legal documents such as memoranda, digests, summaries and reports; assists in the preparation of or responsible for preparing cases which may result in litigation before boards, commissions, hearing officers, administrative law judges, trial or appellate courts; assembles and evaluates evidence; secures and interviews witnesses; and assists in and holds hearings.

This is a recruitment class for persons qualified to practice law in the State of California. Incumbents assigned to Range A perform the least difficult professional legal work. Based upon the appropriate alternate range criteria, incumbents advance to Range B, C, and D and are assigned progressively more difficult legal work. Incumbents assigned to Range D are assigned the more complex and sensitive legal work in the class. Alternate salary ranges are based on the length of legal experience acquired after admittance to The State Bar.

**EXAMINATION
INFORMATION****QUALIFICATIONS ASSESSMENT – Weighted 100.00%**

The examination will consist of a Qualifications Assessment and is the sole component of the Attorney (Staff Counsel) examination. To obtain a position on the eligible list, a minimum score of 70% must be received. An applicant will receive his/her score upon completion of the Qualifications Assessment.

QUALIFICATIONS ASSESSMENT SCOPE:**Knowledge of:**

1. Proper spelling, grammar, punctuation, and sentence structure to ensure that written materials prepared and reviewed are complete and free of errors.
2. Available research sources, both printed and electronic, to complete legal research, including what types of material they contain, where they are located, and their breadth, depth; and relative strengths and weaknesses (e.g., primary legal texts, secondary legal texts, and electronic databases).
3. How to conduct legal analysis (e.g., issue-spotting, rule analysis, applying law to facts) to ensure relevant issues and information are identified and correlated with applicable law, and to aid in predicting the legal outcome.
4. The principles and practices for properly conducting legal research, such as ensuring law is current (i.e., "Shepardizing") and checking for recent amendments to statutes.
5. Trial and hearing procedures and rules of evidence in order to formulate and effectively apply legal strategy and advise the agency representatives and/or clients on legal options.
6. Professional ethical rules as they relate to the practice of law and particularly the role of public attorneys.
7. Substantive areas of law that apply to public entities (e.g, Due Process, Privacy, record disclosure laws).
8. The general principles of jurisprudence such as statutory construction and stare decisis.

Ability to:

1. Communicate effectively in writing in a courteous, professional manner with a variety of individuals taking into consideration their needs and using tone, vocabulary, format, and grammar appropriate to the circumstance.
2. Prepare clear and effective persuasive legal documents (e.g., briefs, motions, pleadings).
3. Prepare clear and effective technical and analytical legal documents (e.g., contracts, stipulations, memoranda, determination letters, regulations).
4. Produce effective written communication of legal principles, facts, and position(s) for various audiences and forums.
5. Effectively communicate in writing through the use of appropriate grammar, spelling, vocabulary, punctuation, and sentence and paragraph structure required to complete assigned projects.
6. Edit written documents for accuracy and effectiveness.
7. Properly identify the nature of legal issues, generate alternatives, and implement solutions and approaches that successfully address the issues.
8. Determine the appropriate amount of time to complete research/investigation.
9. Effectively analyze and respond to legal arguments.

**EXAMINATION
INFORMATION
(CONTINUED)**

10. Analyze information and detect potential logical, legal, and/or factual flaws in arguments or assumptions.
11. Reason, research, investigate, and plan the development of a project, case or matter.
12. Evaluate the strengths and weaknesses of an individual during an interview or deposition in order to evaluate their potential contribution to the case (e.g., as a witness, consultant, source of information).
13. Identify and prioritize critical issues to effectively resolve the question or matter.
14. Identify legal issues, propose alternatives and implement solutions.
15. Read and comprehend a variety of difficult materials such as local, state, and federal law; critical analyses; dissertations; position papers; technical treatises, etc.
16. Read and comprehend legal documents (e.g., contracts, statutes, regulations, legal rulings, case law).
17. Negotiate settlements on behalf of the Department.
18. Orally communicate information effectively, convincingly, and accurately.
19. Present cases before State and Federal Courts, and administrative agencies.
20. Effectively orally communicate legal principles, facts, and position(s) to various audiences and forums.
21. Communicate effectively with individuals who are reluctant, afraid, and/or anxious, and whose input and/or participation may be needed to complete a work assignment (e.g., eye witnesses).
22. Successfully complete multiple projects simultaneously within appropriate time frames while maintaining a high level of work performance.

**ELIGIBLE LIST
INFORMATION**

An open merged eligible list will be established by the State Personnel Board for use by other state departments. The names of successful competitors will be merged onto the eligible lists in order of final scores regardless of test date. Eligibility expires 12 months after it is established. Competitors must then retake the Qualifications Assessment to reestablish eligibility. Competitors may obtain their results by connecting to the Internet at the following address:
http://www.spb.ca.gov/employment/exam_start.htm

Once you have taken the Qualifications Assessment, you may not retake it for 9 months.

**VETERANS'
PREFERENCE**

Veterans' Preference Points will be added to the final score of all competitors who are successful in this examination and who qualify for, and have requested, these points through the State Personnel Board. Due to changes in the law, effective January 1, 1996, VETERANS WHO HAVE ACHIEVED PERMANENT CIVIL SERVICE STATUS ARE NOT ELIGIBLE TO RECEIVE VETERANS' PREFERENCE POINTS.

QUESTIONS?

If you have any questions concerning this examination bulletin, please contact:

State Personnel Board
801 Capitol Mall
Sacramento, CA 95814
(916) 653-1502, TTY (916) 654-6336
California Relay Service: 1-800-735-2929 (TTY), 1-800-735-2922 (Voice)

TTY is a Telecommunications Device for the Deaf and is reachable only from phones equipped with a TTY Device.

GENERAL INFORMATION

If you meet the requirements stated on this examination bulletin, you may take this examination, which is competitive. Possession of the entrance requirements does not assure a place on the eligible list. Your performance in the examination described on this bulletin will be rated against a predetermined job related rating criteria and all candidates who pass will be ranked according to their scores.

The State Personnel Board reserves the right to revise the examination plan to better meet the needs of the service if the circumstances under which this examination was planned change. Such revision will be in accordance with civil service laws and rules and all competitors will be notified.

Eligible Lists: Eligible lists established by competitive examination, regardless of date, must be used in the following order: 1) sub-divisional reemployment, 2) departmental reemployment, 3) general reemployment, 4) sub-divisional promotional, 5) departmental promotional, 6) multi-departmental promotional, 7) service-wide promotional, 8) departmental open eligible list, and 9) open eligible list. When there are two lists of the same kind, the older must be used first. Eligible lists will expire in one to four years unless otherwise stated on this bulletin. In the case of continuous testing examinations, names are merged into the appropriate eligible list in order of final test scores (except as modified by Veterans' Preference Points) regardless of the date of the test, and the resulting eligible lists will be used only to fill vacancies in the area shown on the bulletin.

Hiring Interview Scope: In a hiring interview, in addition to the scope described in this bulletin, the panel will consider education, experience, personal development, personal traits and fitness. In appraising experience, more weight may be given to the breadth and recency of pertinent experience and evidence of the candidate's ability to accept and fulfill increasing responsibilities than to the length of his/her experience. Evaluation of a candidate's personal development will include consideration of his/her recognition of his/her own training needs; his/her plans for self-development; and the progress he/she has made in his/her efforts toward self-development. For additional information, you may refer to the Staff Counsel classification specification at <http://www.dpa.ca.gov/textdocs/specs/s5/s5778.txt>.

General Qualifications: Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others, and a state of health consistent with the ability to perform the assigned duties of the class.

Veterans' Preference: California law limits the granting of Veterans' Preference Points in open entrance examinations and open non-promotional examinations. Credit in open entrance examinations is granted as follows: 10 points for veterans, widows, or widowers of veterans, and spouses of 100 percent disabled veterans; and 15 points for disabled veterans. Credit in open non-promotional examinations is granted as follows: five points for veterans; and 10 points for disabled veterans. Directions for applying for Veterans' Preference Points are on the Veterans' Preference Application which is available on the State Personnel Board website: www.spb.ca.gov.

CALIFORNIA STATE PERSONNEL BOARD

801 CAPITOL MALL
SACRAMENTO, CA 95814
(916) 653-1502 TTY (916) 654-6336